



The Council
City of Shreveport

April 20, 2021

Eman Hajali
Circle K – Jewella Investments
6976 Jewella Avenue
Shreveport, LA 71109

Re: Denial of an Alcohol Beverage Permit for Circle K – Jewella Investments

To Whom it May Concern:

The Shreveport City Council will convene to consider your appeal of the Shreveport Police Department's denial of an Alcohol Beverage Permit for, **Circle K – Jewella Investments, Shreveport, Louisiana. The meeting will be held in the Governmental Chamber, 505 Travis Street, Shreveport, Louisiana, on Tuesday, April 27, 2021, at 3:00 p. m.** Your case will be heard near the end of the meeting.

You are hereby subpoenaed to appear at the above date and time to show cause why the decision to deny should be reversed.

The Chief of Police for the City of Shreveport has notified Eman Hajali, by letter dated March 15, 2021 (attached), that Circle K – Jewella Investments does not meet all of the qualifications to hold an alcohol beverage permit as outlined in Section 10-103 of the Code of Ordinances of the City of Shreveport, specifically as follows:

Sec 10-103 Grounds for suspension or revocation.

- (a) In addition to any other causes enumerated in this chapter, the city council may suspend or revoke any permit or alcoholic beverage handling employee card for any one of the following causes:
 - (3) If the permit was granted to any person who is or has been engaged in an alcoholic beverage permitted business with a person whose application for a permit has been denied or whose permit has been revoked.
 - (4) If the permit was issued to an interposed person.

Sec. 10-104. Cause for denying, suspending or revoking permits.

No permit or alcoholic beverage handling employee card shall be denied, suspended or revoked except for causes specified in this chapter. However, if a person holds more than one permit and any one of them is suspended or revoked, the city council may suspend or revoke all of his permits.

A copy of Section 12 (Alcoholic Beverage Hearings) of the City of Council Rules of Procedure is attached. You will see that the rules encourage, but do not require the permit holder to be represented by legal counsel.

Questions may be directed to the Clerk of Council or the City Attorney as follows.

Danielle A. Farr Ewing, Clerk of Council
Post Office Box 31109
Shreveport. LA 71130
(318) 673-5262

Ronald Lattier, City Attorney
Post Office Box 31109
Shreveport. LA 71130
(318) 673-5200

Sincerely,



Danielle A. Farr Ewing

DAFE/tb
E-COPY:

Members of the Shreveport City Council
Ronald Lattier
Chief Raymond
Cpl. C. Glass-Bradley

Section 12. - Alcoholic beverage hearings.

12.1 General.

- (a) These rules are promulgated for the information and guidance of all concerned in order to provide an orderly method of procedure in city council hearings pertaining to alcoholic beverage permits. However, the council will have complete charge of its hearings, proceedings and investigations and will conduct any particular matter as it considers to be appropriate under the circumstances, giving due regard to the interests of all parties. The procedure followed will be informal and not necessarily bound by the legalistic rules of evidence. The council may entertain and hear such documentary and testimonial evidence as it may deem germane to the case before it regardless of whether such evidence would be admissible in a court of law.
- (b) The clerk of council will prepare a verbatim transcript of any hearing when requested by the permit holder, the chief of police, the city attorney, or any other person in interest. Additionally, audio recordings of all hearings will be retained until the decision of the city council becomes final. Copies of both the verbatim transcripts and audio recordings will be made available to anyone upon the payment of a fee to reimburse the city its actual cost in providing same.
- (c) All documents are properly filed with the clerk of council. (Res. No. 220, 1997, 11-25-97)

12.2 Petition.

- (a) Requests for action by the city council must be in writing and filed with the clerk of council by the chief of police with the approval of the mayor and the city attorney. No particular form is required for said request and it may simply be a letter to the council. It should state clearly what is being complained of as well as the recommendation of the chief of police for council action.
- (b) Upon receipt of a request, the clerk of council should note thereon the date of its receipt and distribute copies to each of the seven councilmembers and to the chief of police.
- (c) The chair of the city council will cause to be served upon the affected alcoholic beverage permit holder a formal written notice of the hearing, in a form and substance to be approved by the city attorney and a copy of which shall be furnished to the city attorney. The notice should comply with all requirements of law including, but not by way of limitation, specifically advising the permit holder of the nature of the allegations being made against him, the date and location of the hearing, and that thereat he may be represented by legal counsel if he so desires. Accompanying said notice shall be a copy of these rules of procedure.
- (d) The permit holder is encouraged but not required to be represented by legal counsel. He may file an answer to the notice referred to hereinabove. If an answer is filed, a copy should be simultaneously delivered or mailed to the city attorney. Any such answer shall be filed not less than three working days before the matter will be heard by the city council.

(Res. No. 132, 1992, 9-22-92; Res. No. 61, 2015, 4-14-15; Res. No. 29, 2019, § 2, 3-12-19)

12.3 Prehearing procedure.

- (a) Alcoholic beverage permit hearings will normally be held at special council meetings. It is difficult for all the councilmembers and their support staff to coordinate their own schedules to accommodate changes in meeting dates; therefore, requests for continuances should be made only when absolutely necessary. Such requests shall be in writing to the clerk of council and will include a specific description of the basis for any requests for a continuance. They shall be filed not less than three working days before the scheduled date of the hearing. The council chair will act on such requests as he determines to be in the public interest under the circumstances; provided, however, that an aggrieved party may appeal the decision of the council chair to the council as a whole by so notifying the clerk of council and the council will act by telephone poll unless it decides to convene a special meeting.
- (b) If at the appointed time for a hearing the council does not have a quorum present, or finds other cause for not proceeding, or if a matter is not completed in one day, the hearing will be recessed to a date certain if one can be agreed on at the time; otherwise, the clerk of council will notify all parties of the new hearing date as soon as the council sets it.
- (c) Upon request or upon its own motion, the council may sequester the witnesses. The parties should recognize, however, that the council is not adequately staffed to effectively supervise the sequestration of witnesses, and in view of the relative informality of the council's proceedings the council normally will not entertain motions to disqualify witnesses for alleged conversations while under the rule; provided, however, that the council may on its own motion or on motion of any interested party take such action as it considers appropriate with respect to such violations of the rule of sequestration as are called to its attention.
- (d) All requests to subpoena witnesses, documents, et cetera, for the hearing shall be presented in writing to the clerk of council as soon as possible. All such requests shall be delivered to the clerk of council at least three working days prior to the scheduled hearing. The council will normally not entertain motions for continuances on the grounds of failure or inability to serve subpoenas where said requests are received within three working days of the scheduled hearing. All requests to subpoena witnesses shall identify the prospective witnesses by name, street address at which they can be served, and the request shall also include a brief statement of what is intended to be proven by each witness. Upon motion by the opposing party or upon his own motion the council chair may strike certain subpoenas as burdensome, and his decision shall be subject to review by the council as a whole.
- (e) All parties to the hearing shall cooperate with the witnesses that they subpoena to minimize the amount of time that they are required to wait to testify. Where appropriate, the council may place any witness on call and not require him to maintain his physical presence in the council chamber.

(Res. No. 29, 2019, § 2, 3-12-19)

Hearing procedure.

12.4

- (a) All parties, or their attorneys, will state their appearances for the record.
- (b) Parties should bear in mind that individual councilmembers usually have very little, if any, advance information about a matter coming before it and that a brief preliminary statement will help the council understand the nature of the case and what it is being asked to do.
- (c) Except as the council may otherwise direct, the police department, represented by the city attorney, will present evidence first. The license holder will then present his evidence. The police department shall be afforded an opportunity to present rebuttal evidence.
- (d) All persons who offer testimony or make statements of fact during the hearing will be sworn. This may be done as a group at the outset of the hearing or individually as they are called to testify. Every statement of fact made at any time during the hearing by any person after having been thus sworn will be considered to have been made under oath, whether the statement is in response to a specific question or is volunteered in the course of a general discussion.
- (e) An effort will be made to complete the interrogation of each witness by all parties before beginning the interrogation of the next witness. However, the council's hearings can sometimes be expedited by discussion-type interrogation involving more than one witness at a time and this will be permitted on occasion within such limitations as the council may find necessary or desirable in a particular case.
- (f) Documentary evidence will be filed with and marked for identification by the clerk of council or some other person designated for that purpose by the chair of the city council.
- (g) At the conclusion of the hearing the council may, in its discretion, hear oral argument, imposing such time limits as it deems appropriate. The oral argument may or may not be transcribed and bound with the transcript of the testimony as the council may direct.
- (h) The council may permit or require filing of briefs, in which event, unless otherwise ordered by the council, the police department brief shall be due within seven days after conclusion of the hearing, and the brief of the license holder within seven days of the filing of the police department's brief. The council may receive supplemental briefs from either party, and will consider same if they are received in time to assist in its decision.
- (i) The decision of the council to suspend or revoke an alcoholic beverage permit will be certified in writing to the permit holder and the Shreveport police department. Any action taken against a license holder shall not become effective until the license holder has been formally notified in writing of the council's decision. However, it may become effective prior to the transcript of the hearing being completed.

(Res. No. 29, 2019, § 2, 3-12-19)

12.5 *Appeals.* Any permit holder aggrieved by a decision of the city council may appeal said decision to the appropriate court of original jurisdiction in the manner provided by law.

(Res. No. 138, 1984)

12.6 *Alcoholic beverage handling employee card appeals.*

- (a) Applicability. This procedure shall apply when an alcoholic beverage handling employee card has been denied by the chief of police pursuant to section 10-103 of the Code of Ordinances and the applicant has appealed to the council.
- (b) Appeals under this section shall be heard under the agenda item "New business" at the administrative conference preceding the regular meeting.
- (c) Upon receipt of an appeal hereunder, the clerk of council shall place the matter on the next regular agenda. He shall as soon as possible, and in any event within three days, mail notice of the hearing on the appeal to the applicant and the chief of police. If the applicant does not appear and has not waived his appearance, or if the applicant or the chief requests postponement for cause the matter shall be postponed until the next regular meeting.
- (d) At the hearing of the appeal, the chief of police shall be given an opportunity to state his reasons for the denial of the application and the applicant or an attorney appearing on behalf of the applicant shall be given an opportunity to state his reasons why the application should be approved. The applicant shall appear or shall provide reasons in writing for his failure to appear. If he fails to do so, the council may deny the application.
- (e) The council may go into executive session to discuss the character, professional competence, or physical or mental health of the applicant when it deems appropriate and in compliance with R.S. 42:6.1.

(Res. No. 182, 1994, 9-27-94)

(Res. No. 61, 2015, 4-14-15)

Editor's note— See editor's note at Section 6.



SHREVEPORT POLICE DEPARTMENT

1234 TEXAS AVENUE • SHREVEPORT • LOUISIANA • 71101

www.shreveportla.gov/police/dept



March 15, 2021



Eman Hajali
Orde K— Jewella Investments
6976 Jewella Ave
Shreveport, La. 71109

Dear Mrs. Eman Hajali

On February 2, 2021 the ABO Office received the alcohol beverage initial application for S&S Corner Store located at 6976 Jewella Ave. Shreveport La. 71109. This correspondence is to inform you, the application has been **denied**. The denial is due to the business not meeting the current alcohol beverage ordinance Section 10-103.

Sec. 10-103. - Grounds for suspension or revocation.

(a) In addition to any other causes enumerated in this chapter, the city council may suspend or revoke any permit or alcoholic beverage handling employee card for any one of the following causes:

(3) If the permit was granted to any person who is or has been engaged in an alcoholic beverage permitted business with a person whose application for a permit has been denied or whose permit has been revoked.

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**Should you have any questions please feel free to call the Alcohol Beverage Control Office at
(318)673-6140**

Sincerely

Ben Raymond
CHIEF OF POLICE
Cpl. C. Glass-Bradley #1340

BRI CGB

**Jewella Investments, LLC
6976 Jewella Avenue
Shreveport, LA 71108
(318) 946-1758**

March 22, 2021



To Whom It May Concern,

I am writing this letter to inform all parties that I wish to appeal the decision made by the Shreveport Police Department concerning my application for an alcohol license for my company, Jewella Investments, LLC.

Sincerely,

A handwritten signature in black ink, appearing to read "Eman Hajali".

Eman M. Hajali
654 Alder Lane
Bossier City, LA 71111